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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/628,902	07/28/2003	David Pettigrew	200310650-1	7436
22879 7590 01/11/2007 HEWLETT PACKARD COMPANY P O BOX 272400, 3404 E. HARMONY ROAD INTELLECTUAL PROPERTY ADMINISTRATION FORT COLLINS, CO 80527-2400			EXAMINER DAYE, CHELCIE L	
			ART UNIT	PAPER NUMBER
			2161	
SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
3 MONTHS		01/11/2007	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/628,902

Applicant(s)

PETTIGREW, DAVID

Examiner

Chelcie Daye

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 November 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-36 and 61-66 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-36 and 61-66 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is issued in response to applicant's amendment filed November 3, 2006.
2. Claims 1-36 and 61-66 are presented. No claims added and claims 37-60 and 67 are cancelled.
3. Claims 1-36 and 61-66 are pending.

Continued Examination Under 37 CFR 1.114

4. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on November 3, 2006 has been entered.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1,19-20,23,61, and 66 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schmidt (US Patent No. 6,535,894) filed June 1, 2000, in view of Dockes (US Patent No. 5,974,004) filed December 21, 1998.

Regarding Claims 1,23,61, and 66, Schmidt discloses a method of creating an archived file in a manner that allows an application to distinguish between one or more data files and one or more print files in said archived file, wherein said print files contain data used by said application to print visual labeling associated with data of one or more of said data files and said data files provide data to be transferred by said application to a recording medium associated with said visual labeling, said method comprising

generating a manifest file (column 8, lines 63-67, Schmidt); and

including said manifest file in said archived file (column 8, lines 54-61, Schmidt). However, Schmidt is silent with respect to said manifest file distinguishing between one or more data files and one or more print files in said archived file. On the other hand, Dockes discloses said manifest file distinguishing between one or more data files and one or more print files in said archived file (columns 7-8, lines 35-67 and 1-7, respectively, Dockes)¹. Schmidt and Dockes are analogous art because they are from the same field of endeavor of updating archive files. It would have been obvious to one of ordinary skill in the

¹ Examiner Notes: Column 7, lines 35-50 discuss a reading client, which extracts "audio data" and loads into onto a compact disc. Examiner interprets the data extracted from the reading client to correspond to the data files. Columns 7-8, lines 52-67 and 1-7 discuss a printing client with multiple printers to

art at the time of the invention to incorporate Dockes teachings into the Schmidt system. A skilled artisan would have been motivated to combine as suggested by Dockes at column 2, lines 29-42, in order to compress data to reduce the storage requirements, thereby improving production of discs and providing a system for customizing discs on demand. As a result, the step of distinguishing between data files and print files allow for a system to increase productivity and accuracy. Therefore, the combination of Schmidt in view of Dockes, disclose indicating to said application a file location within said archived file associated with said one or more data files (columns 10-11, lines 64-67 and 1-7, respectively, Dockes) and a file location associated with said one or more print files (column 11, line 64, Dockes), using an enforced directory structure (columns 9-10, lines 56-67 and 1-7, respectively, Dockes); and automatically distinguish between the files (column 10, lines 33-50, Dockes).

Regarding Claim 19, the combination of Schmidt in view of Dockes, disclose method further comprising including said manifest file in a root directory of said archived file (Fig.5; column 8, lines 54-67, Schmidt).

Regarding Claim 20, the combination of Schmidt in view of Dockes, disclose a method further comprising:

distinguish elements needing to be printed. Examiner interprets the data selected to be printed as print files.

including said manifest file in any directory of said archived file (Fig.5; column 8, lines 54-67, Schmidt); and

including a boot file in a root directory of said archived file, said boot file indicating a path of said manifest file in said archived file (Fig.6; column 9, lines 11-42, Schmidt);

wherein said application is configured to recognize and read said boot file (column 9, lines 43-52, Schmidt).

7. Claims 2-18,21-22,24,35, and 62-65 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schmidt (US Patent No. 6,535,894) filed June 1, 2000, in view of Dockes (US Patent No. 5,974,004) filed December 21, 1998, and further in view of Van Valer (US Patent No. 20020145614) filed April 6, 2001.

Regarding Claims 2,24, and 62, the combination of Schmidt in view of Dockes, disclose a method further comprising:

extracting files from said archived file with said application (column 7, lines 35-37, Dockes), said files including said one or more data files, said one or more print files (columns 7-8, lines 35-67 and 1-7, respectively, Dockes), and said manifest file (column 8, lines 63-67, Schmidt). However, the combination of Schmidt in view of Dockes, are silent with respect to burning said one or more data files onto an optical disc and printing content corresponding to said one or more print files. On the other hand, Van Valer discloses burning said one or more

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data files onto an optical disc ([0073], lines 4-8, Van Valer) and printing content corresponding to said one or more print files ([0077], lines 1-12, Van Valer).

Schmidt, Dockes, and Van Valer are analogous art because they are from the same field of endeavor of archiving with digital image processing. It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate Van Valer's teachings into the Schmidt in view of Dockes system. A skilled artisan would have been motivated to combine as suggested by Van Valer at [0010], in order to easily catalog and identify what images/data a particular disc holds.

Regarding Claims 3, 25, and 63, the combination of Schmidt in view of Dockes, and further in view of Van Valer, disclose a method further comprising downloading said archived file to a system containing said application (columns 7-8, lines 64-67 and 1-7, respectively, Schmidt).

Regarding Claims 4 and 26, the combination of Schmidt in view of Dockes, and further in view of Van Valer, disclose a method wherein said archived file is downloaded from an Intranet or a website on an Internet (column 3, lines 14-16, Schmidt).

Regarding Claims 5 and 27, the combination of Schmidt in view of Dockes, and further in view of Van Valer, disclose a method wherein said

archived file is downloaded from a wide area network or a local access network (column 6, lines 38-42, Schmidt).

Regarding Claims 6 and 28, the combination of Schmidt in view of Dockes, and further in view of Van Valer, disclose a method wherein said archived file is downloaded from a floppy disk, an optical disc, or a hard drive (column 6, lines 28-33, Schmidt).

Regarding Claims 7,21,29, and 35, the combination of Schmidt in view of Dockes, and further in view of Van Valer, disclose a method wherein said one or more print files comprise a label file ([0062], lines 9-15, Van Valer).

Regarding Claims 8 and 30, the combination of Schmidt in view of Dockes, and further in view of Van Valer, disclose a method wherein said one or more data files comprise a disk image file ([0068], Van Valer).

Regarding Claims 9 and 31, the combination of Schmidt in view of Dockes, and further in view of Van Valer, disclose a method wherein said disk image file is in International Organization for Standardization (ISO) 9660 file format (column 9, lines 39-47, Dockes).

Regarding Claims 10 and 32, the combination of Schmidt in view of Dockes, and further in view of Van Valer, disclose a method wherein said one or more data files comprise audio files ([0026], Van Valer).

Regarding Claims 11 and 33, the combination of Schmidt in view of Dockes, and further in view of Van Valer, disclose a method wherein said one or more data files comprise video files ([0026], Van Valer).

Regarding Claims 12 and 34, the combination of Schmidt in view of Dockes, and further in view of Van Valer, disclose a method wherein said one or more print files comprise graphics files ([0026], Van Valer).

Regarding Claims 13 and 64, the combination of Schmidt in view of Dockes, and further in view of Van Valer, disclose a method further comprising generating said manifest file in Extensible Markup Language (XML) ([0040], Van Valer).

Regarding Claims 14,15, and 65, the combination of Schmidt in view of Dockes, and further in view of Van Valer, disclose a method further comprising:
compressing said archived file before said downloading of said archived file (column 2, lines 46-52, Schmidt); and

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decompressing said archived file before said extracting of said files
(column 2, lines 52-60, Schmidt).

Regarding Claim 16, the combination of Schmidt in view of Dockes, and further in view of Van Valer, disclose a method wherein said generation of said manifest file comprises:

combining descriptor terms with file-specific information (column 5, lines 6-13, Schmidt)²;

wherein, when said application reads said manifest file (column 9, lines 43-52, Schmidt), said descriptor terms indicate to said application which of said files are said one or more data files and which of said files are said one or more print files (columns 7-8, lines 35-67 and 1-7, respectively, Dockes).

² Examiner Notes: "File contents" corresponds to descriptor terms.

Regarding Claim 17, the combination of Schmidt in view of Dockes, and further in view of Van Valer, disclose a method wherein said descriptor terms comprise:

a term for identifying a file location of said one or more data files (columns 10-11, lines 64-67 and 1-7, respectively, Dockes); and

a term for identifying a file location of said one or more print files (column 11, line 64, Dockes).

Regarding Claim 18, the combination of Schmidt in view of Dockes, and further in view of Van Valer, disclose a method wherein said file-specific information comprises a file path and name (column 5, lines 6-13, Schmidt).

Regarding Claims 22 and 36, the combination of Schmidt in view of Dockes, and further in view of Van Valer, disclose a method wherein said optical disc comprises a compact disk ([0026], Van Valer), a digital versatile disk, or a video game disk.

Response to Arguments

Applicant's arguments with respect to newly amended independent claims 1,23,61, and 66, along with claims 2 and 20, have been considered but are moot in view of the new ground(s) of rejection.

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Points of Contact

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chelcie Daye whose telephone number is 571-272-3891. The examiner can normally be reached on M-F, 7:00 - 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Gaffin can be reached on 571-272-4146. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Chelcie Daye
Patent Examiner
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December 19, 2006


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